

State Water Resources Control Board

May 6, 2019

System No. 1503231

Ronnie Habroun, Market Partner
Four Winds Water System
4236 Cannon Street
Bakersfield, CA 93314

CITATION NO. 03_12_19C_019 NITRATE MONITORING VIOLATION FOR 2018 CALENDAR YEAR

Enclosed is Citation No. 03_12_19C_019 (hereinafter "Citation"), issued to the Four Winds Water System (hereinafter "Water System"), public water system. **Please note there are legally enforceable deadlines starting on page 3 of the Citation.**

The Water System will be billed at the State Water Resources Control Board's (hereinafter "State Water Board") hourly rate for the time spent on issuing this Citation. California Health and Safety Code (hereinafter "CHSC") Section 116577 provides that a public water system must reimburse the State Water Board for actual costs incurred by the State Water Board for specified enforcement actions, including preparing, issuing and monitoring compliance with a citation. At this time, the State Water Board has spent approximately one hour on enforcement activities associated with this violation.

The Water System will receive a bill sent from the State Water Board in August of the next fiscal year. This bill will contain fees for any enforcement time spent on the Water System for the current fiscal year.

Any person who is aggrieved by a citation, order or decision issued under authority delegated to an officer or employee of the State Water Board under Article 8 (commencing with CHSC, Section 116625) or Article 9 (commencing with CHSC, Section 116650), of the Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4), may file a petition with the State Water Board for reconsideration of the citation, order or decision.


Petitions must be received by the State Water Board within 30 days of the issuance of the citation, order or decision by the officer or employee of the State Water Board. The date of issuance is the date when the Division of Drinking Water mails a copy of the citation, order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day by 5:00 p.m.

Information regarding filing petitions may be found at:

http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml

If you have any questions regarding this matter, please contact [Linda Ramirez](#) of my staff at (559) 447-3392 or me at (559) 447-3300.

Sincerely,



Chad Fischer, P.E.
Senior Sanitary Engineer, Visalia District
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

Certified Mail No. 7018 0040 0000 3160 0053

CJF/LR

Enclosures

cc: Kern County Environmental Health Department
Mike Trotter, 9530 Hageman Road, Suite B333, Bakersfield, CA 93312

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

Name of Public Water System: Four Winds Water System

Water System No: 1503231

Attention: Ronnie Habroun, Market Partner

4236 Cannon Street

Bakersfield, CA 93314

Issued: May 6, 2019

CITATION FOR NONCOMPLIANCE
CALIFORNIA HEALTH AND SAFETY CODE, SECTION 116555 AND
CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 64432.1(a)

NITRATE MONITORING VIOLATION

2018 CALENDAR YEAR

The California Health and Safety Code (hereinafter "CHSC"), Section 116650 authorizes the State Water Resources Control Board (hereinafter "State Water Board"), to issue a citation to a public water system when the State Water Board determines that the public water system has violated or is violating the California Safe Drinking Water Act (hereinafter "California SDWA"), (CHSC, Division 104, Part 12, Chapter 4,

commencing with Section 116270), or any regulation, standard, permit, or order issued or adopted thereunder.

The State Water Board, acting by and through its Division of Drinking Water (hereinafter "Division"), and the Deputy Director for the Division, hereby issues Citation No. 03_12_19C_019 (hereinafter "Citation"), pursuant to Section 116650 of the CHSC to the Four Winds Water System (hereinafter "Water System"), for violation of CHSC, Section 116555(a)(1) and California Code of Regulations (hereinafter "CCR"), Title 22, Section 64432.1(a).

STATEMENT OF FACTS

The Water System is classified as a transient non-community public water system serving a population of 50 persons through 4 connections. The Water System is using a groundwater source to supply potable water to the distribution system: Well 01.

CHSC, Section 116555 requires all public water systems to comply with primary drinking water standards as defined in CHSC, Section 116275(c). Primary drinking water standards include maximum levels of contaminants, specific treatment standards, and monitoring and reporting requirements as specified in regulations adopted by the State Water Board.

Pursuant to CCR, Title 22, Section 64432.1(a), the Water System is required to collect one sample annually for nitrate testing from each source. During the 2018 calendar year, the Water System failed to collect a nitrate sample from Well 01.

DETERMINATION

The State Water Board has determined that the Water System has failed to comply with primary drinking water standards pursuant to CHSC, Section 116555 and nitrate

1 monitoring requirements pursuant to CCR, Title 22, Section 64432.1(a) during the **2018**
2 **calendar year.**

4 **DIRECTIVES**

5 The Water System is hereby directed to take the following actions:

- 6
- 7 1. By **May 31, 2019**, notify all persons served by the Water System of the violation
8 of CCR, Title 22, 64432.1(a), in conformance with Sections 64463.4 and 64465.
9 Appendix 1: Notification Template, must be used to fulfill this Directive unless
10 otherwise approved by the State Water Board. The notification must be
11 completed in accordance with the following:
- 12 • Posting of the Public Notification in conspicuous places within the area served
13 by the water system. The notice must remain posted for a minimum of seven
14 (7) consecutive days and;
 - 15 • By one of the following secondary methods to reach persons not likely to be
16 reached by posting;
 - 17 ➤ By publication in a local newspaper or newsletter distributed to customers,
18 by internet posting of the notice or by direct delivery to each customer
19 served by the Water System. If the water system opts to issue the notice
20 via internet website, the public notice must remain posted for a minimum
21 of seven (7) consecutive days.
- 22

23 The Water System must determine which option will be used to conduct the secondary
24 distribution of the notice.

- 25
- 26 2. Complete Appendix 2: Compliance Certification Form. Submit it together with a
27 copy of the public notification required by Directive 1 to the State Water Board.
28

1 3. By **May 31, 2019**, a nitrate sample must be collected from Well 01 and the result
2 reported to the Division by the 10th day of the following month.

3
4 4. The Water System must ensure that monitoring is conducted annually for nitrate
5 from all its active sources and that the laboratory, which conducts the analysis,
6 submits the analytical results electronically by a State Water Board approved
7 method no later than the 10th day of the month following completion of the
8 analyses.

9
10 All submittals required by this Citation, unless otherwise specified in the directives
11 above, must be electronically submitted to the State Water Board at the following
12 address. The subject line for all electronic submittals corresponding to this Citation
13 must include the following information: Water System name and number, citation
14 number and title of the document being submitted.

15
16 Chad Fischer, P.E., Senior Sanitary Engineer
17 State Water Resources Control Board
18 Division of Drinking Water, Visalia District
19 265 W. Bullard Ave, Suite 101
20 Fresno, CA 93704
21 Dwpdist12@waterboards.ca.gov

22
23 The State Water Board reserves the right to make modifications to this Citation it may
24 deem necessary to protect public health and safety. Such modifications may be issued
25 as amendments to this Citation and shall be effective upon issuance.

26
27 Nothing in this Citation relieves the Water System of its obligation to meet the
28 requirements of the California SDWA (CHSC, Division 104, Part 12, Chapter 4,

1 commencing with Section 116270), or any regulation, standard, permit or order issued
2 or adopted thereunder.

3
4 **PARTIES BOUND**

5 This Citation shall apply to and be binding upon the Water System, its owners,
6 shareholders, officers, directors, agents, employees, contractors, successors, and
7 assignees.

8
9 **SEVERABILITY**

10 The directives of this Citation are severable, and the Water System shall comply with
11 each and every provision thereof notwithstanding the effectiveness of any provision.
12
13

FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the State Water Board to: issue a citation or order with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any regulation, permit, standard, citation, or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the State Water Board to take action to suspend or revoke a permit that has been issued to a public water system if the public water system has violated applicable law or regulations or has failed to comply with an order of the State Water Board, and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with an order of the State Water Board. The State Water Board does not waive any further enforcement action by issuance of this Citation.

Chad Fischer, P.E.
Visalia District Engineer

5/6/19
Date

Appendices:

1. Notification Template
2. Compliance Certification Form



Certified Mail No. 7018 0040 0000 3160 0053

APPENDIX 1. NOTIFICATION TEMPLATE

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este aviso contiene información muy importante sobre su agua potable, por favor lea el aviso en español si va aquí incluido. Si el aviso en español no va incluido aquí, contacte al sistema de agua para pedir una copia.

Nitrate Monitoring Requirements Not Met for Four Winds Water System

Our water system failed to monitor as required for a drinking water monitoring standard during the 2018 calendar year and, therefore, was in violation of the monitoring regulations. Even though this failure was not an emergency, as our customers, you have a right to know what you should do, what happened and what we did to correct this situation.

We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. During the 2018 calendar year we did not monitor or test for nitrate and therefore cannot be sure of the quality of our drinking water during that time.

What should I do?

- There is nothing you need to do at this time.
- The table below lists the contaminant(s) we did not properly test for during the last year, how many samples we are required to take and how often, how many samples we many samples we took, when samples should have been taken, and the date on which follow-up samples were (or will be) taken.

Contaminant	Required sampling frequency	Number of samples taken	When all samples should have been taken	When samples were or will be taken
Nitrate	Annually	None	2018 calendar year	

- If you have health issues concerning the consumption of this water, you may wish to consult your doctor.

For more information, please contact Ronnie Habroun at 909-253-9488 or 4236 Cannon St., Bakersfield, CA 93314.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- *SCHOOLS: Must notify school employees, students, and parents (if the students are minors).*
- *RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS (including nursing homes and care facilities): Must notify tenants.*
- *BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS: Must notify employees of businesses located on the property.*

This notice is being sent to you by Four Winds Water System.

Date distributed: _____.

APPENDIX 2. COMPLIANCE CERTIFICATION

Citation Number: 03_12_19C_019

Name of Water System: Four Winds Water System

System Number: 1503231

Certification

I certify that the users of the water supplied by this water system were notified of the nitrate monitoring violation of California Code of Regulations, Title 22, Section 64432.1(a) for the compliance period of 2018 CALENDAR YEAR and the required actions listed below were completed.

Required Action	Date Completed
(Citation Directive 1) Public Notification Method(s) Used: _____	
(Citation Directive 3) Nitrate Sample Collection Date: _____	

Signature of Water System Representative

Date

Attach a copy of the public notice distributed to the water system's customers.

THIS FORM MUST BE COMPLETED AND RETURNED TO THE STATE WATER BOARD, DIVISION OF DRINKING WATER, NO LATER THAN June 10, 2019

Disclosure: Be advised that the California Health and Safety Code, Sections 116725 and 116730 state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the Safe Drinking Water Act may be liable for, respectively, a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation or, for continuing violations, for each day that violation continues, or be punished by a fine of not more than \$25,000 for each day of violation, or by imprisonment in the county jail not to exceed one year, or by both the fine and imprisonment.